

REMARKS

Applicant appreciates the consideration of the response to the previous Office Action. The applicant has thoroughly studied the Office Action of December 5, 2008 and has submitted this amendment in response to that Office Action. Reconsideration of this application, as amended, is earnestly requested.

Claims 1, 21, and 39 are amended as shown above. Claims 1-39 remain pending in the application with claims 1, 31, and 39 being the independent claims.

Claims 1-23, 31-34, and 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Baudel et al. (US 5,666,499) in view of Barber et al. (US 5,586,243) and Meriaz (U.S. Pub. 2002/0113776), claims 24-27, and 35 as being unpatentable over Baudel, Barber, and Meriaz, and further in view of Lee (US 5,999,169), claims 29 and 37 as being unpatentable over Baudel, Barber, Meriaz and White ("How Computers Work"), and claims 28, 30, 36, and 38 as being unpatentable over Baudel, Barber, Meriaz, Lee, and White. Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

103 Rejections

The Examiner has rejected independent claims 1, 31, and 39 as being unpatentable over Baudel in view of Barber and Meriaz citing Baudel for teaching two cursors on a document each controlled by a separate pointing device, Barber for teaching multiple cursors controlled by multiple control devices or optionally a single control device, and Meriaz for teaching two control devices in a single device.

Claim 1 recites a "method for facilitating computer editing of an electronic document ... comprising ... positioning a first cursor at a first location ... positioning a second cursor at a second location within said electronic document

... wherein said first and second cursors are independently displayable and independently positionable at any of said plurality of unique locations of said electronic document ... defining a selection string ... and transferring said selection string to a location within said electronic document as determined by said second location of said second cursor,” wherein the first cursor and the second cursor are controlled by a first and second sensor associated with a user interface device.

In rejecting claim 1, the Examiner cited Baudel col. 8: 1-12 as teaching “transferring said selection string to a location within said electronic document as determined by said second location of said second cursor.” However, the cited portion of Baudel teaches selecting a copy function with the non-dominant hand (the secondary cursor), and allowing the user to trigger the copy action and designate the location of the operation with the dominant hand or the primary cursor. Considering Baudel by itself, Baudel describes a transfer operation that requires both the non-dominant hand and the dominant hand, the non-dominant hand to select the copy function and the dominant hand to locate where the action is to occur and to execute the action. Baudel, unlike independent claim 1, teaches that the location of the transfer action is determined by the dominant hand, not the non-dominant hand.

The Examiner states that if Baudel can be combined with Meriaz, which applicant contends is not possible, then only one hand is required to operate the first and the second cursor. Meriaz’s pointing device has two sensor controls, each of the two sensor controls operates course and fine movements of a single cursor (paragraph [0015], “If a user desires a delicate, detailed movement of the computer cursor, he or she can rotate trackball 16 with a finger. If on the other hand, a user prefers to communicate large, sweeping movements, for example, across the entire width of the screen, or simply for less detailed or accurate movement, he or she optionally may push the mouse housing 12 across a flat surface.”) Meriaz cannot be combined with Baudel, because Meriaz cannot control two separate cursors with its two sensor controls.

Baudel also has a precise pointing device operated by the user's dominant hand and a pointing device for course positioning task. See, col. 3: 46-53. However, Baudel's pointing devices control separate cursors, not providing course and fine movements for Meriaz's single cursor. Thus, even if Baudel and Meriaz could be combined, the resultant combination would be inoperative. See, MPEP 2143.01 ("If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)").

In rejection independent claim 1 in the current and previous Office Actions, the Examiner has repeatedly stated that Baudel teaches the second cursor may be located anywhere on the electronic document by virtue of the fact that palette invoked by the second cursor may be positioned anywhere on the document. See, OA, p, 22 ("the Examiner respectfully submits that when a document is present within area 400 the tool palette is positioned within the bound of the document window"). Applicant significantly disagrees that the Baudel tool pallet is part of the Baudel electronic document. However, in the interest of pursuing allowance, Applicant has amended the claims to overcome other aspects of the cited art.

Applicant amends independent claims 1, 31, and 39 to include the limitation that the "first and second cursors are independently displayable, displayable, and operable at any of said plurality of unique locations of said electronic document." Baudel constrains the operation of the second cursor to selecting one of the tools displayed on the palette and is not operable outside the palette area, and does not teach that the second cursor is operable at any of said plurality of unique locations of said electronic document.

For at least the reasons presented supra, the applicant believes independent claim 1 is patentable over the cited art. Claims 31 and 39 contain similar language and are patentable as well for similar reasons. The secondary

references of Lee and White do not cure the deficiencies of Baudel, Barber, and Meriaz.

Further, as set forth in MPEP 2143, to show a *prima facie* case for obviousness, all the prior art references, either individually or combined, must teach all the claim limitations. None of Baudel, Barber, and Meriaz teach the “first and second cursors are independently displayable, displayable, and operable at any of said plurality of unique locations of said electronic document”, and applicants submit that a *prima facie* case for obviousness has not been shown and that claims 1, 31, and 39 are patentable over the cited prior art. In addition, dependent claims 2-30 and 32-38 are patentable as well by depending from a patentable independent claim.

CONCLUSION

In view of the above amendments and remarks, applicant respectfully requests reconsideration and withdrawal of the rejections, and an early indication of the allowance of the claims. Applicant believes the claims are in condition for allowance and respectfully solicit favorable action.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If any points remain at issue that the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly invited to contact the undersigned by telephone at (909) 621-2059 or by email at cwschmoyer@yahoo.com.

Respectfully submitted,

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